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12 INDIAN HARBOR INSURANCE COMPANY

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 FEDERAL INSURANCE COMPANY, an
16 Indiana corporation,

17 Plaintiff,

18 vs.

19 JEFFREY SHAW, et al.,

20 Defendants.

21 Case No. CV 02-04548 JSW (EDL) and
22 C-04-2615 JSW (EDL)
23 [Related Case 04-4085]

24 **[PROPOSED] STIPULATED ORDER
GRANTING STAY OF INDIAN
HARBOR V. WILLOCK (CASE NO. C
04-2615 JSW) UNTIL FOURTEEN
DAYS AFTER BANKRUPTCY
COURT'S RULING ON MOTION TO
APPROVE SETTLEMENT OF
FEDERAL V. SHAW (CASE NO. C 02-
4548)**

25 Date: TBD
26 Time: TBD
Crtrm: 2
Judge: Hon. Jeffrey S. White

27 INDIAN HARBOR INSURANCE
28 COMPANY,

Plaintiff,

vs.

VICTORIA WILLOCK, et al.

Defendants.

AND RELATED CLAIMS AND
COUNTERCLAIMS

WHEREAS, the parties to Federal Insurance Company v. Shaw, Case No. C 02-4548 (the

1 "Federal v. Shaw" action) have reached a settlement of that action;

2 WHEREAS, the settlement is conditioned upon the approval of the United States
3 Bankruptcy Court for the Northern District of California, as reflected in a Memorandum of
4 Understanding dated May 27, 2005;

5 WHEREAS, the parties to the action entitled Indian Harbor Insurance Company v.
6 Willock, Case No. C 04-2615 ("Indian Harbor v. Willock action"), which was consolidated with
7 the Federal v. Shaw action, believe that the Bankruptcy Court approval of the settlement of the
8 Federal v. Shaw action will facilitate the resolution of the Indian Harbor v. Willock action;

9 WHEREAS, the parties believe that continued discovery, motions practice and trial
10 preparation in the Indian Harbor v. Willock action pending Bankruptcy Court approval will result
11 in the waste of the Court's and the parties' resources;

12 The parties do therefore stipulate to a stay of the Indian Harbor v. Willock action until
13 fourteen (14) days after the United States Bankruptcy Court for the Northern District of
14 California rules upon the motion for approval of the settlement of the Federal v. Shaw action.

15 IT IS SO STIPULATED.

16 Dated: June 22, 2005

Robert M. Pozin
Terrence R. McInnis
Julia C. Weissman
ROSS, DIXON & BELL, LLP

17
18 By: Robert M. Pozin
19 Attorneys for Plaintiff and Counterclaim
20 Defendant INDIAN HARBOR INSURANCE
21 COMPANY

22 Dated: June 22, 2005

LOVITT & HANNAN, INC.

23 John J. Bartko
24 Charles G. Miller
25 Christopher D. Sullivan
26 BARTKO, ZANKEL, TARRANT & MILLER
27

By: C. G. Miller
28 Attorneys for Defendants and Counterclaimants

1 Having received, read and considered the ex parte application to stay proceedings in
2 Federal Insurance Co. v. Shaw, No. C 02-4548, and the papers filed thereon, and having received,
3 read and considered the Joint Response of Indian Harbor Insurance Company and the Defendants
4 and Counterclaimants Re: Ex Parte Application to Stay Action, and good cause appearing
5 therefore,

6 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the Indian Harbor v.
7 Willock action, including discovery and other deadlines in this action, shall be stayed until
8 fourteen (14) days after such time as the United States Bankruptcy Court for the Northern District
9 of California rules upon the motion to compromise controversy between the parties in Federal
10 Insurance Co. v. Shaw et al. The parties in Indian Harbor v. Willock will report to this Court
11 within fourteen (14) days after such Bankruptcy Court ruling, concerning whether any further
12 proceedings in Indian Harbor v. Willock are necessary.

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14 DATED: June 23, 2005

15 /s/ Jeffrey S. White

16 THE HONORABLE JEFFREY S. WHITE
JUDGE OF THE DISTRICT COURT

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CERTIFICATE OF SERVICE

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
Case Name: Federal Insurance Company v. Jeffrey Shaw, et al., Case No. CV02-04548
consolidated with Indian Harbor Insurance Company v. Victoria Willock, et al., Case No.:
C 04-02615

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 5 Park Plaza, Suite 1200, Irvine, California 92614.

I hereby certify that on the 22nd day of June, 2005, a copy of the foregoing
**“[PROPOSED] STIPULATED ORDER GRANTING STAY OF INDIAN HARBOR V.
WILLOCK (CASE NO. C 04-2615 JSW) UNTIL FOURTEEN DAYS AFTER
BANKRUPTCY COURT’S RULING ON MOTION TO APPROVE SETTLEMENT OF
FEDERAL V. SHAW (CASE NO. C 02-4548)”** was filed electronically with this Court.
Notice of this filing will be sent to all parties and their attorneys by operation of the Court’s
electronic filing system.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on June 22, 2005, at Irvine, California.

Lisa Golden